

Performance Management, Incentive Awards, and Training and Development

Performance Improvement Plan

Summary of Changes. This regulation provides guidance for the development and administration of a Performance Improvement Plan (PIP) for California National Guard technicians. It replaces portions of the Technician Personnel Manual, dated March 2000, Annex D. This regulation also replaces any Technician AGR Administrative Instruction (TAAI) concerning this subject published before 15 October 2007.

Applicability. California National Guard Full-time Personnel Regulation (CNGFPR) applies to all California Army and Air National Guard technicians and to commanders, managers and supervisors (military or civilian) with authority or responsibility over technician personnel management.

Proponent and Exception Authority. The proponent of this regulation is the Joint Force Headquarters, J-1, Directorate for Human Resources. The proponent has authority to approve exceptions to this regulation when they are consistent with controlling laws and regulation.

Supplementation. Supplementation of this regulation is prohibited.

Suggested Improvements. Users of this regulation are invited to send comments and suggested improvements to Joint Force Headquarters, Directorate for Human Resources, 9800 Goethe Road, Sacramento, CA 95826-9101.

Distribution. Distribution of the regulation is Army - A and Air Force - F.

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1. Purpose.

This regulation establishes procedures for a Performance Improvement Plan (PIP) for California National Guard technicians and contains guidance to be used by managers and supervisors.

2. Objective.

The objective of the California National Guard PIP is to provide a meaningful and efficient method for the correction of individual technician performance.

3. Responsibilities.

a. Directorate for Human Resources.

- (1) Keeping supervisors and managers informed of performance regulations, policies and procedures.
- (2) Advising supervisors and managers in managing and measuring performance standards, advising supervisors and managers of their responsibilities, initiatives and obligations to assist technicians in improving performance and determining the appropriate action to be taken in individual cases.
- (3) Reviewing and certifying that adverse actions conform to applicable law, rule and regulation.
- (4) Advising technicians who are involved in adverse actions of their rights and procedures.
- (5) Maintaining the official adverse action case file.

b. Commanders and Directors.

(1) Insure that all technicians in their organizational units are informed of applicable laws, rules and regulations governing acceptable performance.

(2) Official for any 30-day written notice of reduction-in grade, removal, or reassignment, proposed at a lower level within their organization or directorate based on job performance.

c. Supervisors and Managers.

(1) Must insure that the provisions of this regulation and their respective Collective Bargaining Agreement (CBA) are followed prior to initiating any adverse action.

(2) Must receive certification of regulatory compliance from the Directorate for Human Resources, Labor Relations, prior to issuing any PIP or 30-day notice of reduction-in-grade, removal, or reassignment based on job performance.

(3) Responsible for insuring that expectations and performance are effectively communicated to the technician and counseling of performance deficiencies is conducted as appropriate.

(4) Insure that performance issues are addressed as they surface and initiate training, guidance and assistance in a timely manner to insure productivity.

(5) Responsible for providing the required documentation to process an action.

d. Technicians.

(1) Must perform the duties of their position, as specifically outlined in their Technician Performance Appraisal Report.

(2) Continually perform self-assessment of performance and areas in need of improvement.

(3) Must request assistance, guidance and training and inform supervisor when areas of performance are needed during self-assessment.

(4) Understand their responsibilities in maintaining personal performance levels and take initiative when deficiencies are identified and make every effort to improve performance to an acceptable level.

4. Performance Improvement.

Technicians will be periodically reminded of the critical job elements and performance indicators for their positions and will be informed when their performance is unacceptable. A written Performance Warning Memorandum should be used to formally inform a technician when their performance is unacceptable. A written Performance Improvement Plan (PIP) will be drafted and is to include increased supervisory assistance and additional training. A PIP may be used at any time during the rating period. These efforts should be in writing and should be documented on the NGB Form 904-1 during a counseling session. However, if the technician's performance in any critical element continues to be unacceptable despite efforts by the supervisor to improve performance, a 90-day warning memorandum of unacceptable performance will be issued. The 90-day warning memorandum does require prior coordination with the HRO. If improvement occurs, a memorandum of successful performance will be issued. If improvement does not occur, an unacceptable appraisal should be rendered at the end of the 90-day period.

5. Performance Improvement Plan (PIP)

a. The Performance Improvement Plan (PIP) is a specialized documentation tool available to supervisors for the purpose of improving the performance of a technician and addressing performance discrepancies identified in the performance appraisal process. Cooperation and continuing communication between the technician and supervisor is essential to the success of the PIP.

b. Supervisors implementing the PIP must identify each element of performance discrepancy that is in need of improvement. Each discrepancy should be supported by appropriate documentation using specific examples to identify areas of concern. Supervisors must define the task, skills and/or behaviors where improvement is needed and establish priorities in the areas requiring improvement. Supervisors must also identify the standards upon which performance will be measured for each area requiring improvement and insure they are reasonable and attainable.

c. Once the areas of improvement have been identified, supervisors must develop an action plan specifying how the standards will be met. This should include specific training and any other special support that will assist the technician in meeting the standards. The supervisor will establish short and long-range goals and timetables for accomplishing change in performance. The PIP is then put in writing and includes the signature of both the technician and supervisor.

d. The supervisor should periodically review the technician's progress. At the end of the PIP time period, a final evaluation is conducted to determine if the PIP was successful. If the PIP was unsuccessful, the supervisor may continue the plan, amend or extend parts of the PIP or take action as required, such as, reassignment, change to lower grade, or removal.

e. The technician has appeal rights. Supervisors may be asked the following questions by an arbitrator, hearing officer or judge:

- (1) Was the employee put on notice that his/her performance was unacceptable?
- (2) Did the notice clearly identify specific examples of poor performance?
- (3) Was the employee specifically informed what he/she must do in order to meet the standards of the position?
- (4) Was the employee offered any assistance such as training, counseling or extra help from his/her supervisor in order to overcome deficiencies?
- (5) Was the employee clearly warned of the consequences of failure to improve performance?
- (6) Was the employee given a fair opportunity to bring his/her job performance up to an acceptable level?

6. Actions Based on Unacceptable Performance.

Technicians whose job performance does not meet standard after the establishment and unsuccessful completion of a PIP may be reassigned, reduced in grade, or removed from employment (see CNGFPR 432 for procedures).

FOR THE GOVERNOR:

WILLIAM H. WADE II
Major General
The Adjutant General

OFFICIAL:



STUART D. EWING
Captain, CA ANG
Deputy, Human Resources Officer

SAMPLE PERFORMANCE WARNING MEMORANDUM

(Unit Symbol)

(Date)

SUBJECT: Performance Warning

MEMORANDUM FOR

1. The purpose of this Performance Warning is to notify you of deficiencies in the performance of your duties as a Personnel Records Clerk. Improvement is necessary in a number of areas. The areas of unacceptable performance that are in need of improvement are as follows:

a. **Critical Element 1 - Records Maintenance.** Fully acceptable performance in this element requires filing records in organizational personnel folders in accordance with governing directives and standard office operating procedures. Records are filed within five (5) workdays of receipt or sooner if accumulation of un-filed records exceeds 100. Reviews of organizational personnel folders are conducted annually to remove duplicate and/or obsolete records.

b. **Critical Element 2 - Request for Record Information.** Fully acceptable performance in this element requires response dispatched within three (3) workdays of receipt of request, provide only that information allowed by the Privacy Act and/or Freedom of Information Act and receive no more than two servicing complaints per month. Performance verified through spot checks of work.

c. **Critical Element 3 – Typing.** Fully acceptable performance in this element requires complete typed draft of correspondence received from supervisor within two days of receipt. Correspondence is prepared in final form and not more than five (5) per month are returned for correction.

2. In order to meet the expectations of the agency, you must take the following steps to correct deficiencies in record maintenance, requests for record information and typing:

- a. Alphabetize your records before filing in individual record folders.
- b. Expand your suspense file to include calendar days.
- c. Take time to proof read your typing before submitting.
- d. Utilize your dictionary to assist you in spelling correctly.
- e. Check with the Privacy Act Officer if unsure about information to be released.

3. If you need further assistance or counseling in meeting the job standards enumerated above, please do not hesitate to contact me.

4. Work related problems may be the result of personal situations. It is imperative that you consider all factors which may be contributing to your problems at work and that you take appropriate actions to deal with them. The Employee Assistance Program (EAP) is available if you wish to seek confidential assistance. You may contact the EAP “Hotline” at 1-888-290-4EAP. If you choose to take part in the EAP during the duty day, you must obtain proper leave approval.

5. If you are unsuccessful in making the necessary improvements in your work performance as outlined in this Performance Warning, we will meet and create a formalized Performance Improvement Plan (PIP).

(SUPERVISOR SIGNATURE BLOCK)

Encl.
(List)

cc: HRO/LABOR-EMPLOYEE RELATIONS

Receipt acknowledged. _____ Date _____
Employee Signature

NOTE:

The Performance Warning Memorandum may be used prior to establishing a PIP.

COORDINATE WITH HRO LABOR-EMPLOYEE RELATIONS BEFORE ISSUING THE PERFORMANCE WARNING MEMORANDUM

SAMPLE PERFORMANCE IMPROVEMENT PLAN

(Unit Symbol)

(Date)

SUBJECT: Performance Improvement Plan (PIP) Notification

MEMORANDUM FOR

1. The purpose of this Performance Improvement Plan is to notify you of serious deficiencies in the performance of your duties as a Personnel Records Clerk. Significant improvement is necessary in a number of areas. Specific areas of unacceptable performance that are in need of improvement are as follows:

a. **Critical Element 1 - Records Maintenance.** Fully acceptable performance in this element requires filing records in organizational personnel folders in accordance with governing directives and standard office operating procedures. Records are filed within five workdays of receipt or sooner if accumulation of un-filed records exceeds 100. Reviews of organizational personnel folders are conducted annually to remove duplicate and/or obsolete records.

(1) Your performance of duties under this performance critical element has been less than marginal in meeting the standard. Specific instances of unacceptable performance in this critical element are as follows:

(a) On 20 April 2007, I counseled you concerning excessive record accumulation. I advised you to stop involving yourself in office activities that do not concern you and devote your time to accomplishing your work. (See attached counseling note.)

(b) On 24 April 2007, I counseled you regarding erroneous filing of records. I suggested methods of improvement in your filing procedure. (See attached counseling note.)

b. **Critical Element 2 - Request for Record Information.** Fully acceptable performance in this element requires response dispatched within three workdays of receipt of request, provide only that information allowed by the Privacy Act and/or Freedom of Information Act and receive no more than two servicing complaints per month. Performance verified through spot checks of work.

(1) Your performance of duties under this performance element has been less than marginal in meeting the standard. Specific instances of unacceptable performance in this critical element are as follows:

(a) On 18 April 2007, I informed you that your response time to information requests was exceeding three workdays and that I had received several complaints. (See attached letters.) I recommended to you how you could improve your suspense file procedure in order to meet response time requirements. (See attached counseling note.)

(b) On 8 May 2007, you released the home address of Jack Smith to the Presshard Insurance Co. The employee complained his privacy had been violated. (See copy of attached letter from Mr. Smith and my memo to you.)

c. **Critical Element 3 – Typing.** Fully acceptable performance in this element requires complete typed draft of correspondence received from supervisor within two days of receipt. Correspondence is prepared in final form and not more than five per month are returned for correction.

(1) Your performance of duties under this performance element has been less than marginal in meeting the standard. Specific instances of unacceptable performance in this critical element are as follows:

(a) On 9 April 2007, I returned to you ten pieces of correspondence in need of corrections. I advised you to pay closer attention to proof-reading the finished product. (See attached copies of erroneous correspondence and counseling note.)

(b) On 10 May 2007, I informed you that several pieces of draft correspondence submitted to you for typing had not been completed. I reminded you that draft correspondence is to be completed and returned within two days of receipt. (See attached counseling note.)

2. In order to meet the expectations of the agency, you must take the following steps to correct deficiencies in record maintenance, requests for record information and typing:

a. Alphabetize your records before filing in individual record folders.

b. Expand your suspense file to include calendar days.

- c. Take time to proof read your typing before submitting.
- d. Utilize your dictionary to assist you in spelling correctly.
- e. Check with the Privacy Act Officer if unsure about information to be released.

3. I will make arrangements to have you visit with other agency personnel clerks for the purpose of learning file techniques and suspense controls. In addition, I will make available OPM and career development courses to help you improve your office skills. If you need further assistance or counseling in meeting the job standards enumerated above, please do not hesitate to contact me.

4. Work related problems may be the result of personal situations. It is imperative that you consider all factors which may be contributing to your problems at work and that you take appropriate actions to deal with them. The Employee Assistance Program (EAP) is available if you wish to seek confidential assistance. You may contact the EAP "Hotline" at 1-888-290-4EAP. If you choose to take part in the EAP during the duty day, you must obtain proper leave approval.

5. If you are unsuccessful in making the necessary improvements in your work performance as outlined in this Performance Improvement Plan by *(date - minimum of 90 days and may be extended)*, I will have to recommend further action.

(SUPERVISOR SIGNATURE BLOCK)

Encl.
(List)

cc: HRO/LABOR-EMPLOYEE RELATIONS

Receipt acknowledged. _____ Date _____
Employee Signature

NOTE:

The Performance Improvement Plan must be used when a supervisor's intention is to withhold or delay a within-grade increase.

You must clearly explain what the deficiencies are and relate them to a specific job element.

COORDINATE WITH HRO LABOR-EMPLOYEE RELATIONS BEFORE ESTABLISHING A PIP

SAMPLE PIP SUCCESSFUL COMPLETION MEMORANDUM

(Unit Symbol)

(Date)

SUBJECT: Successful Completion of Performance Improvement Plan (PIP)

MEMORANDUM FOR

1. The purpose of this memorandum is to inform you that you have successfully improved your performance to the Fully Successful level and have completed the requirements as outlined in the above reference.
2. You are cautioned however, that should your performance of element _____ (enter performance element number) again become unacceptable within 1 year of the PIP completion effective date, action may be taken to propose your removal, downgrade, or reassignment without your placement on another PIP.
3. If you have any questions regarding this matter, please feel free to contact me.

(SUPERVISOR SIGNATURE BLOCK)

Encl.
(List)

cc: HRO/LABOR-EMPLOYEE RELATIONS

Receipt acknowledged. _____ Date _____
Employee Signature